

**REMARKS**

**I. STATUS OF THE CLAIMS**

In accordance with the foregoing various claims are amended and added herein. Support for the amended and added claims can be found, for example, on page 20, lines 2 thru 14; and page 30, lines 3 thru 24.

It is respectfully submitted that claims 1 and 3-21 are pending and under consideration. No new matter is being presented, and approval and entry are respectfully requested.

**II. CLAIMS 1 AND 3-19 ARE REJECTED UNDER 35 U.S.C. 103(a) AS BEING UNPATENTABLE OVER KIMURA (US 5,848,210) IN VIEW OF SUGIYAMA ET AL. (US 6,873,748).**

The Examiner asserts Kimura discloses "an optical module device comprising an optical device (2) with a plurality of electrodes (1) disposed at predetermined positions; a substrate (6) disposed oppositely to the optical and with wiring patterns for connecting the electrodes; and a wiring (5) that connects the electrodes to the wiring patterns." (citing the Abstract; column 2, lines 15-39; column 3, line 64 through column 4, line 58). The Examiner concedes that Kimura does not disclose a pair of side wall plates that hold the substrate on the optical device. Therefore, the Examiner relies on Sugiyama et al. (Sugiyama) to disclose a pair of side wall plates that hold a substrate on an optical device. (citing column 2, line 31 through column 3, line 58).

The sidewalls disclosed in Sugiyama have a "T" shaped cross section, and the foot of the "T" is in contact with the optical modulator as shown in Figs 1, 6, 7 and 8. Furthermore, the side walls 5-1 and 5-2 shown in Figure 1 are also in contact with the optical modulator 16 at the projecting portions 8 of the side walls 5-1 and 5-2; and the side walls shown in Figures 6 and 7 are in indirect contact with the optical modulator via the filling sandwiched between the side walls and the optical modulator.

Independent claims 1 and 17 are amended herein to further clarify the invention. For example, amended claim 1 now recites the substrate and pair of side wall plates are arranged at a predetermined distance from the optical device along an incoming light advancing direction between each side wall plate and an inner surface of the optical device module and the optical device module includes a wiring that connects the electrodes to the wiring patterns to prevent

signal degradation and cross-talk. See, for example, figure 3 of the present application, where the side wall plates 118 are arranged at a predetermined distance from substrate 101.

Neither Sugiyama nor Kimura suggests or discloses the substrate and pair of side wall plates are arranged at a predetermined distance from the optical device along an incoming light advancing direction between each side wall plate and an inner surface of the optical device module, as recited, for example, in claim 1 and shown in Figure 3 of the specification.

Furthermore, claim 1, for example, recites a substrate disposed oppositely to the optical device and with wiring patterns for connecting to the electrodes. The substrate 6 of Kimura, which the Examiner equates with the substrate of the present invention, does not include a wiring pattern. (see figure 3 of Kimura). Similarly, Sugiyama is silent as to whether the lid element (1st embodiment) or the lid portion 107A (2nd embodiment) held by the side walls includes a wiring pattern.

In addition, claim 1, for example, recites a wiring that connects the electrodes to the wiring patterns to prevent signal degradation and cross-talk. (see also, figure 2 of the specification). However, the lead 5 of Kimura, which the Examiner equates with the wiring of present invention, is connected to electrode 3, but cannot be connected to the wiring pattern because Kimura lacks the wiring pattern as discussed above.

Therefore, the present invention, as recited, for example, in claim 1, is patentable over the inventions disclosed by Sugiyama and Kimura.

Although the above comments are specifically directed to claim 1, for example, it is respectfully submitted that the comments would be helpful in understanding various differences of various other claims (i.e. claims 3 – 19) over the cited reference.

Approval and entry is respectfully requested.

### III. NEW CLAIMS

Claims 20 and 21 are added herein. Support for the added claims can be found, for example, on page 30, lines 3 – 24. Claim 20 recites a *soaking structure having a length corresponding to the number of serially connected optical filters*. Claim 21 recites *each of the side wall plates is arranged at a predetermined horizontal distance from the optical device so as not to come into contact with the optical device for the full width of the side wall plates*. Neither Sugiyama nor Kimura suggests or discloses the present invention as recited, for example, in

claims 20 and 21. Therefore, it is respectfully submitted, claims 20 and 21 are allowable.

**IV. CONCLUSION**

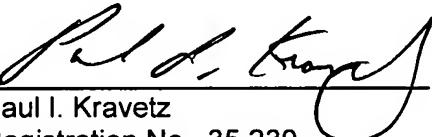
There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: June 29, 2006

By:   
Paul I. Kravetz  
Registration No. 35,230

1201 New York Avenue, NW, Suite 700  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501